

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Kalsec, Inc.
3713 West Main Street
Kalamazoo, Michigan 49005**

ATTENTION:

**Jim Justice
Vice President, Corporate Manufacturing**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Kalsec, Inc. (Kalsec or you) to submit certain information about the facility at 3713 West Main Street, Kalamazoo, Michigan. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information and sampling. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Kalsec owns and operates an emission source at the Kalamazoo, Michigan facility. We are requesting this information to determine whether your emission source is complying with the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.

Kalsec must send all required information to:

Attn: Compliance Tracker, AE-18J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Kalsec must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”


This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Kalsec to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Sasha Letuchy at (312) 886-6035.

9/12/17
Date


Edward Nam
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing at 40 C.F.R. Part 63, Subpart FFFF and those subparts incorporated by reference in Subpart FFFF, in which case, those definitions shall apply.

1. "Equipment leak source" shall include each pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, and instrumentation system.
2. "Service categories" shall include the following as defined at 40 C.F.R. Part 63, Subpart H:
 - a. "Gas/vapor";
 - b. "Light liquid"; and
 - c. "Heavy liquid".
3. "In organic hazardous air pollutant (HAP) service" shall be defined by 40 C.F.R. Part 63, Subpart H.

Appendix B

Information You Are Required to Submit to EPA

Kalsec, Inc. must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) within 30 days:

1. Provide a table of all emissions tests conducted at the facility for any reason, from September 2007 to the present, and provide copies of all emissions test reports. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Use the following guidelines for compiling the table and preparing copies of the stack test reports:
 - a. **Table:** Identify the emissions unit, the control device, the date of the test, the federal or state regulation requiring the test (if applicable), pollutants tested, throughput during test, and the test method(s) used. For each test during which the source was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with the Michigan Department of Environmental Quality (MDEQ).
 - b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations.
2. Provide copies of all annual emissions reports submitted to MDEQ for the facility, emissions report for the toxic release inventory, and associated calculations from 2007 to the present (omitting the emission calculations and source summaries previously provided to EPA from 2013 – 2016). Include:
 - a. A narrative describing the method used for the annual emissions calculations for each pollutant, including the basis of any emissions factors used;
 - b. Any documents outlining procedures for calculating annual emissions; and
 - c. A table describing the assumed/estimated capture and control efficiencies for each control device(s) and the associated emission unit(s), including any associated documentation used in developing the capture and control efficiencies.
3. Determine the group status (group 1 or group 2, as defined at 40 C.F.R. § 63.2550), for each batch process vent at the facility, pursuant to 40 C.F.R. § 63.2460(b). For each process vent, provide the following:
 - a. The process unit it is associated with;

- b. The method used to determine the group status;
 - c. All associated calculations with supporting documentation (i.e., testing data);
 - d. Statement as to whether the process vent is or is not routed to a control device and the control device type and identifier; and
 - e. Estimated control efficiency for the identified control device (percent by weight removed). Include an attachment with the basis for this information.
4. Provide a table listing each storage tank located at the facility using a unique identifier. In the table, identify the following for each storage tank:
- a. The capacity of the tank (in gallons);
 - b. The material(s) contained within the tank;
 - c. Storage temperature of the tank;
 - d. The maximum true vapor pressure of total Hazardous Air Pollutant (HAP) at the temperature identified in 4.c (in kilopascals);
 - e. Statement as to whether the storage tank is or is not routed to a control device and the control device type and identifier; and
 - f. Percent emission reduction (by weight removed) or ppm of organic HAPs achieved at the identified control device outlet. Include an attachment with the basis for this information.
5. Provide a table listing each transfer rack located at the facility using a unique identifier. In the table, identify the following for each transfer rack:
- a. The loaded amount of each liquid that contain organic HAP (in liters/year), e.g., 0.4 million liters/year of methanol and 0.2 million liters/year of hexane;
 - b. The partial pressure of each liquid loaded (in pounds per square inch absolute);
 - c. Statement as to whether the transfer rack is or is not routed to a control device and the control device type and identifier;
 - d. Percent emission reduction or ppm of organic HAPs achieved at the identified control device outlet. Include an attachment with the basis of this documentation.

6. Provide a component count for each type of equipment leak source within the process in organic HAP service. The determination of whether each component is in HAP service should be conducted in accordance with 40 C.F.R. § 63.180(d)(1) using Method 18 of 40 C.F.R. Part 60, Appendix A testing or in accordance with 40 C.F.R. § 63.180(d)(2) using good engineering judgement. The components shall be grouped by service category. Provide the approximate weight fraction of HAP for each potential equipment leak source.
7. State whether or not the facility has a leak detection and repair program. If the facility does implement a leak detection and repair program, state whether the program is conducted according to 40 C.F.R. Part 63, Subpart UU; 40 C.F.R. Part 63, Subpart H; or 40 C.F.R. Part 65, Subpart F.
8. Determine the group status (group 1 or group 2, as defined at 40 C.F.R. § 63.2550) for each wastewater stream at the facility, pursuant to 40 C.F.R. § 63.2485(c). For each wastewater stream, provide the following:
 - a. The process unit it is associated with;
 - b. The method used to determine the group status;
 - c. All associated calculations with supporting documentation (i.e., testing data); and
 - d. A detailed description of the how the facility does or does not comply with each requirement in 40 C.F.R. § 63.132 – 148 for process wastewater streams, 40 C.F.R. § 63.105 for maintenance wastewater streams, and 40 C.F.R. § 63.149 for liquid streams in an open system.
9. For each heat exchange system in use at the facility, determine whether any of the exemption at 40 C.F.R. § 63.104(a)(1)-(6) apply and provide supporting documentation for any claimed exemption.
10. For each heat exchange system in use at the facility that does not meet the exemption any exemption at 40 C.F.R. § 63.104(a)(1)-(6), state whether the facility monitors total HAPs, total volatile organic compounds, total organic carbon, one or more speciated HAP compounds, or other representative substances that would indicate the presence of a leak in the heat exchange system or a surrogate.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information Is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by
Certified Mail, Return Receipt Requested, to:

Jim Justice, Vice President
Kalsec, Inc.
3713 West Main Street,
Kalamazoo, Michigan 49005

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by E-mail to:

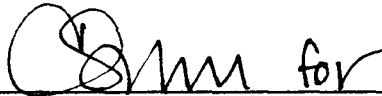
Tom Hess, Enforcement Unit Manager,
Air Quality Division
HESST@michigan.gov

Mary Douglas
Air Quality Division, Kalamazoo District Office
douglasml@michigan.gov

and

Paul M. Collins
Counsel to Kalsec, Inc.
Miller Canfield
Collinsp@MillerCanfield.com

On the 12 day of September 2017.



Kathy Jones, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7014 2870 0001 9578 9466